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Toward a 'Secret Government'

Claiming a need to stop leaks of classified information, President Reagan has done all in his power to keep a tight nozzle on the news. Here's how he has sought to control the flow of information to the public:

- He'd like to shut up government employees by subjecting them to lie-detector tests.

- The White House wants to impose lifetime censorship on all government workers with access to classified information. The censorship wouldn't apply, of course, to the president and vice president.

- The administration has also issued an executive order allowing far wider use of the secrecy stamp. The people in power regularly stamp "secret" what properly should be labeled "censored."

- The administration has pulled down the blinds at the CIA. A reporter can now be sent to prison for reporting news that might give a clue to the identity of a CIA agent.

- The administration has also obstructed press coverage of military activities. Reporters were barred from observing the Grenada invasion. The Pentagon's version of this major event, therefore, was all that was available.

There is another annoying obstacle to "secret government," and sure enough, the administration has set out to remove it. This is the Freedom of Information Act, a landmark law that permits individuals to learn what the government has in its files, within the limits of personal privacy and national security.

The administration has already pushed a bill

through the Republican-controlled Senate to amend the act. My associates Donald Goldberg and John Dillon have carefully studied the Senate bill. One problem with it is that the language is vague and opens the act to varying interpretations by agencies and the courts. Of the more than 40 changes the administration wants in the Freedom of Information Act, here are the ones that are most worrisome:

- Federal agencies would be allowed to charge a fee for reviewing their files, instead of charging only for documents given out. This could increase the cost of FOIA requests 10-fold, effectively prohibiting them for all but the wealthiest.

- A crucial change in wording could close off much of the law-enforcement information now available under the act. As the law stands now, such information may be withheld only if it *would* endanger informers, hamper investigations or violate an individual's right to privacy. Changing the word "would" to the phrase "could reasonably be expected to" would give agencies the right to withhold information on speculation alone.

- Slow processing has always been a major complaint. Under the Senate bill, time limits for processing FOIA requests would be extended.

- A real sleeper in the Senate bill would allow a government agency to charge an additional fee—above the cost of printing, that is—for documents that contain "commercially valuable technological information." The change could conceivably let the government set prices for its

popular "how-to" publications on the basis of their assumed value to the buyer, not the printing cost. This, in effect, would give the government copyright authority—a power it has never had.

- At present, the information act makes no distinction among applicants, nor does it evaluate the merits of an application beyond waiving the printing fee for requests that are clearly in the public interest. But the bill would discriminate against three classes of applicants: foreigners, prisoners and anyone involved in litigation against the government. This would give the agencies the added burden of determining who is making each request—a costly and time-consuming task.

- The Senate rewrite of the Freedom of Information Act makes a sneak attack on the public's right to even unclassified information. The law now requires agencies to release all unclassified portions of a document that are "reasonably segregable" from the parts that are exempt for release. This would allow agencies to refuse FOIA requests in wholesale quantities.

The politicians who govern us are mounting a concerted effort to undermine trust in any source of information that is not controlled by them. Preposterous lies can be told to make the powerful look good; grievous blunders can be committed by officials in the name of the government; the public can be cheated by people sworn to uphold the public trust. But let an investigative reporter make a mistake, and there will be howls of outrage.

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